

3.       **2007SP-081G-06**  
Mt. Laurel Reserve  
Map: 128-00 Parcel: 038  
Bellevue Community Plan  
Council District 22 – Eric Crafton

A request to amend the Mt. Laurel Reserve Specific Plan district (SP-R) located at Hicks Road (unnumbered), approximately 1,160 feet east of Sawyer Brown Road (36.25 acres), zoned SP, to permit the development of 129 townhomes where 106 townhomes were previously approved, requested by Dale & Associates, applicant, for Hicks Road Development LLC, owner.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST -Amendment to Preliminary**

A request to amend the Mt. Laurel Reserve Specific Plan district (SP-R) located at Hicks Road (unnumbered), approximately 1,160 feet east of Sawyer Brown Road (36.25 acres) zoned Specific Plan (SP), to permit the development of 129 townhomes where 106 townhomes were previously approved.

**Existing Zoning**

Specific Plan (SP-R) -Specific Plan-Residential is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes only one residential building type.

**BELLEVUE COMMUNITY PLAN**

**Existing Policy**

**Residential Low Medium (RLM)** RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

**Consistent with Policy?** Yes. The density of this development is 3.56 units/acres, which is within the RLM policy. The Bellevue Community Plan states a community desire to preserve rural character and protect hills from being cut away to help keep the scenic views. This plan does not significantly change the areas to be graded or disturbed from the originally approved plan. The final SP site plan should take these goals into consideration by conforming to the Hillside Development Standards of Section 17.28.030 of the Metro Zoning Ordinance.

**PLAN DETAILS**

**History** A preliminary SP plan was approved for Mt. Laurel Reserve by Metro Council in July 2007. The property was rezoned from one and two family residential (R20) to Specific Plan (SP) to allow a development of 106 attached units. A final site plan has been submitted and is currently under review by the Planning Department staff.

**Site Plan** The current site plan proposes an amendment to the previously approved preliminary plan to increase the number of units from 106 to 129 attached units. All units are planned to consist of three bedrooms. The plan also proposes recreational uses to include a clubhouse, pool, a walking trail, a gazebo and picnic area. The building standards for the plan specify a maximum height of three stories, and side and rear setbacks of 5 feet and 20 feet, respectively.

**Site Conditions** The site is severely constrained by steep slopes and problem soils. Slopes on the property are in excess of 25 percent and the units have been clustered within the flattest part of the site along the ridgeline to limit disturbance of the topography. Sensitive soils are also present on the site. The soils are composed of Bodine-Sulfura and Dellrose Cherty-Silt Loam which require a geotechnical study during final site plan approval.

**Access** The site is accessed from Hicks Road. All units will have direct vehicle access to a private drive. Internal walkways measuring four feet in width provide pedestrian connections throughout the development and connect to a trail system.

**Parking** A total of 323 parking spaces would be required by the Zoning Code, and the plan shows a total of 340 parking spaces, which also includes guest parking.

**Landscaping** The site plan includes landscaping around the perimeter of the parking area and meets the minimum requirements for screening as defined in the Metro Zoning Ordinance.

**PUBLIC WORKS RECOMMENDATIONS** All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans.

Prior to the submittal of construction plans, submit a "field run" survey along Hicks Road at the project access, and provide adequate intersection and stopping sight distance, per AASHTO standards.

**Typical and Maximum Uses in Existing Zoning District: SP**

Land Use (ITE Code)	Acres	Density	Total Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/Townhome (230)	36.25	N/A	106	675	55	64

**Typical and Maximum Uses in Proposed Zoning District: SP**

Land Use (ITE Code)	Acres	Density	Total Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/Townhome (230)	36.25	N/A	129	797	64	75

**Change in Traffic Between Typical and Maximum Uses in Existing and Proposed Zoning District**

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			+23	+122	+9	+11

**STORMWATER RECOMMENDATION** Approved.

**FIRE MARSHAL RECOMMENDATION**

- Before a building permit can be issued Water Plans showing water mains, fire hydrants, the proposed flow from the fire hydrant with the highest elevation and most remote in this project, street access and topographic elevations shall be provided.
- All roadways with two-way traffic shall comply with public works minimum requirements.
- Additional information will be required before a building permit can be issued, adequate information not provided to allow unconditional approval of this project at this time.
- Due to new information about this project it will be approved.
- No part of any building shall be more than 500 ft from a fire hydrant via an approved hard surface road.
- Fire Hydrants shall be in-service before any combustible material is brought on site.

**METRO SCHOOL BOARD REPORT**

Projected student generation     9 Elementary     6 Middle     5 High

**Schools Over/Under Capacity** Students would attend Brookmeade Elementary School, Hill Middle School, or Hillwood High School. None of these schools have been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated May 2008.

**STAFF RECOMMENDATION** Staff recommends approval of the amendment to the Mt. Laurel Reserve Specific Plan to increase the number of units from 106 to 129 attached units. The proposed density and site plan is consistent with the RLM land use policy outlined in the Bellevue Community Plan.

#### **CONDITIONS**

1. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM4 zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
2. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
3. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

Ms. Nedra Jones presented and stated that staff is recommending approval with conditions.

Mr. Roy Dale spoke in favor of the proposed development.

Ms. Margaret Weinberg, 406 Post Creek Road, spoke in opposition to the proposed development.

Ms. LeQuire requested additional information on the history of the proposal in relation to the number of units that were being requested.

Ms. Nedra Jones explained the number of units included in the proposal.

Ms. LeQuire then questioned whether a traffic study was included as a condition for the development.

Ms. Nedra Jones explained that a “field run” survey was required by the Public Works department.

Ms. LeQuire moved and Mr. Ponder seconded the motion, which passed unanimously, to approve with conditions, the request to amend Specific Plan 2007SP-081G-06 as recommended by staff. **(8-0)**

**Resolution No. RS2008-188**

**“BE IT RESOLVED** by The Metropolitan Planning Commission that 2007SP-081G-06 is **APPROVED WITH CONDITIONS. (8-0)**

**Conditions of Approval:**

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**The proposed amendment to the SP-R is consistent with the Bellevue Community Plan's Residential Low Medium policy which is intended for residential development with a density between 2 and 4 dwelling units per acre."**